



State of Oklahoma
PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD
Business Meeting Minutes

Monday, October 11, 2021
9:00 a.m.

MEMBERS PRESENT: Richard Smothermon, Larry Morris, Adam Luck, Kelly Doyle and Scott Williams

MEMBERS ABSENT: None

STAFF: Tom Bates, Melinda Romero, Leroy Long, and Kyle Counts

GUESTS: None

I. Call to Order – Adam Luck, Chairman

The Business Meeting of the Pardon and Parole Board (PPB) was called to order at 9:01 a.m. by Chairman Adam Luck, on Monday, October 11, 2021.

A. Roll Call

The members attending were Richard Smothermon, Larry Morris, Adam Luck, Kelly Doyle and Scott Williams. The voting order was announced as Scott Williams, Adam Luck, Richard Smothermon, Kelly Doyle, and Larry Morris.

B. Assurance of Compliance with Open Meeting Act

General Counsel Kyle Counts provided assurance of compliance with the Open Meeting Act. The business meeting of the Pardon and Parole Board was convened in accordance with the Oklahoma Open Meeting Act. This meeting was preceded by an advance notice of the date, time, and place filed with the Oklahoma Secretary of State on November 17, 2020. Notice of this meeting was also given at least twenty-four (24) hours in advance of the meeting by posting notice of the date, time, virtual meeting place, and agenda of the meeting on October 8, 2021, on the Pardon and Parole Board's website, www.ok.gov/ppb. The meeting is in compliance with the Open Meeting Act.

II. Business Meeting –Tom Bates, Executive Director, Melinda Romero, Deputy Director, Leroy Long, Field Director, and Kyle Counts, General Counsel

A. Discussion and Possible Action on September Business Meeting Minutes

The September business meeting minutes were provided to the Board for review. Richard Smothermon made a motion to approve the September business meeting minutes, Larry Morris seconded. The Board approved the motion 5-0.

B. Discussion and Possible Action on September Parole Meeting Minutes

The September parole meeting minutes were provided to the Board for review. Larry

Morris made a motion to approve the September parole meeting minutes, Richard Smothermon seconded. The Board approved the motion 5-0.

C. Discussion and Possible Action on October Special Meeting Minutes

The October special meeting minutes were provided to the Board for review. Richard Smothermon made a motion to approve the October special meeting minutes, Larry Morris seconded. The Board approved the motion 5-0.

D. Discussion and Possible Action on Agency Updates:

1. Personnel Updates – New Hires and Separations

Deputy Director Melinda Romero reported one separation, Shawna English. Melinda Romero also reported one new hire Sicilia Talavera.

2. Field Updates

Field Director Leroy Long reported that his team has completed the November docket and is now working on the December docket. Mr. Long stated there is one Investigator currently out due to surgery. He also states he has another investigator out on light duty for the next nine months, and another investigator who will be returning. Mr. Long reports one investigator put in their notice, and that there is only one supervisor to cover the entire state. Mr. Long states the investigators are going to start handing out parole interview questionnaires and do limited interviews. Mr. Long reports that for October there would have been 38 more personal appearances and 77 total personal appearances for this month.

3. Legal Updates

General Counsel Kyle Counts stated that the new Medical Parole Statute will go into effect November 1. This will expand the number of conditions that qualifies one to apply for it. The procedure for Medical Parole is still the same as far as requiring a request from the director of DOC and the Medical Director signing off on the condition. It does include condition chronic conditions such as cancer, heart disease, diabetes.

Mr. Counts also reports that the revocation numbers are going up especially in the Administrative Parole. Reporting last month there were 14 total hearings and were being passed to next month. There has been communication with the Attorney General's Office about working out a contract to help preside over some of the revocation hearings. Mr. Counts states that here's one piece of litigation that's pending was originally set for a referee hearing on October 5th and since that was the day of a clemency hearing, the referee hearing was passed to November 4th. There were new rules that went into effect on September 11th which potentially would allow someone to apply for pardon after five years of continuous access.

4. Director's Update

Executive Director Tom Bates reports that the Pardon and Parole Board has a new mailing address. This new address is 2501 North Lincoln Boulevard Suite #201 Oklahoma City, Oklahoma 73105. This address can also be found on the website. Mr. Bates also reports that there was a submission for a budget request for the next fiscal year. The request is for an increase that could bring on additional positions for a part time attorney and additional support staff. Also, Director Bates thanks DOC, Director Crow, and Cabinet Secretary Tricia Everest for the support

they have given.

III. Discussion and Possible Action to Approve the 2022 Regular Meeting Schedule – Melinda Romero

Board members went over the meeting schedules, with a possible change of dates for the July meeting.

IV. Discussion and Possible Action on Pardon Policies and Procedures – Kyle Counts

General Counsel Kyle Counts reported that the drafted procedure based on the recommendation that was made by Mr. Williams a few months back was workable. It would essentially allow to recommend Pardons without the personal appearance. The way the procedure is drafted, there are five instances where the person would receive a personal appearance. Mr. Counts briefly explains, the application and applicant, will be able to designate if they would like the personal appearance before the board takes up their application or does any kind of consideration. The second one would be if any board member believes a personal appearance is necessary for determining the merit of the application. The third is if any board member intends to vote against recommending the pardon based on what they see in the application and the pre party investigation. The fourth is if they are seeking a pardon for a violent offense. As listed in Title 57 section 571. The fifth one would be if the applicants pardon application receives a protest from either a district attorney, a victim, or the Oklahoma Attorney General those people also would need to have a personal appearance before the board took up any action on application.

V. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Adam Luck

None

VI. Adjournment of the Business Meeting – Adam Luck

The meeting was adjourned at 9:58 a.m.

Respectfully Submitted,



Sicilia Talavera
Executive Assistant

The minutes for the October 2021 Pardon and Parole Board Business Meeting were approved by a majority vote on the 1st day of November 2021.